

Minutes of the Town Board Meeting of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, December 7, 1976 at 7:30 P.M.

Present:

Allen M. Smith, Supervisor  
George G. Young, Councilman  
Francis E. Menendez, Councilman  
John Lombardi, Councilman  
Jessie Tomlinson, Councilwoman

Also present: Peter S. Danowski, Jr., Town Attorney

Absent: Alex E. Horton, Supt. of Highways

Supervisor Smith called the Meeting to Order at 7:30 P.M. and the Pledge of Allegiance was recited.

Supervisor Smith made the following comment: "Before we begin the regular part of the agenda with reference to preliminary matters of which we have several. We have received today a letter from our consultant and aid Mr. John Durkin who has been aiding us in the problems we and every other community face relative to bond issues and bonded indebtedness. And he sends us the good news that Moody's Investors Service, the rating on the bonds of the Town of Riverhead from BAA to A. Those of you who don't understand the significance of it, it does help us in the amount of interest that we will pay both on bond anticipation notes and hopefully if the municipal market were to improve the amounts of money that we would pay on the issuance of bonds.

I would also point out that during this past week we received from the State of New York the first installment of the check or claim that the Town of Riverhead established for the damage caused by Hurricane Belle. It amounted to some \$41,000 out of the total amounts that we have claimed. I would point out the good work of Lt. Droskoski of the Police Department in getting the money and also Rita Peters Legislative Aid to the Town Board. These are the kind of things we can do and with the extra help it turns out to be profitable in the long run. We seem to be getting more money back than we're investing in going after this kind of dollar and that's good.

On the other side of the coin, Miss Block does not have it but I and the other Members of the Town Board have been cited by Mr. Hartmann and in particular Raymond Mauro for an unfair labor practice. So it seems that we'll spend some time and money of which there are limited amounts to oppose Mr. Mauro in an unfair labor charge in New York City brought by the P.B.A. I quite frankly feel we could be doing more profitable things then dealing with this kind of thing, but it seems to be that kind of thing that is being pursued in this matter.

And the last thing that we have this evening is we have met with the Commissioners of the Wading River Fire District. Mrs. Tomlinson has a meeting with the Commissioner of State Parks for this

area. There is some discussion going for a long term lease of two acres of realty in the State Park opposite Fontanas and pending the outcome of a lease arrangement or something of that effect, that might accommodate a substation at that location. This may or may not be acceptable to the Commissioners but we have every hope that it will be, and that we can then further preserve the building that we will call the Wading River Civic Center.

We've received a letter that indicated those groups that had been planning on Christmas functions at the Center can contact the Commissioners and hold their Christmas functions at that location. There are no decisions at this time for any use of the building beyond the Christmas holidays. But I think we've established a means of communications and cooperation between the Town Board and the Commissioners and we hope that the spirit will continue and the problem can be resolved."

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

BE IT RESOLVED, That the Minutes of the Meeting of the Town Board of the Town of Riverhead, held on November 16, 1976, and the Minutes of the Special Town Board Meeting, held on November 22, 1976, be approved as submitted.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#### BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills submitted on Abstracts dated December 7, 1976:

General Town	\$48,576.33
Highway Item #1	\$17,113.50
Highway Item #3	\$ 3,177.65
Highway Item #4	\$ 1,864.80
Town Hall Capital	\$ 1,191.65
Federal Revenue	\$ 65.00
Senior Nutrition	\$ 55.24
Special Districts	\$13,078.70

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following bills submitted on Abstracts dated December 7, 1976, be approved for payment:

General Town	\$48,576.33
Highway Item #1	\$17,113.50
Highway Item #3	\$ 3,177.65
Highway Item #4	\$ 1,864.80
Town Hall Capital	\$ 1,191.65
Federal Revenue	\$ 65.00
Senior Nutrition	\$ 55.24
Special Districts	\$13,078.70

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#### REPORTS

Building Department, month of November, 1976

Police Department, month of November, 1976 Filed.

#### SPECIAL PERMIT

Application of Everett Enstine to operate a Fuel Oil Depot, Calverton, N.Y.

Referred to Town Planning Board for recommendation and report. Filed.

#### CLAIM

Kitchen & Bath, Inc. (Tommasini) - Extensive building and contents damage \$25,000. Referred to Insurance Broker and Town Attorney. Filed.

#### COMMUNICATIONS

Better Riverhead Association, dated 11/29/76, requesting a donation from the Town to help defray the cost of the Christmas Lighting Program. Filed.

Alex E. Horton, dated 11/12/76, requesting Town Board's decision on plowing private roads in Reeves Park and others in Wading River, in case of fire or sickness. Filed.

Supervisor Smith stated: "We have met with Mr. Horton this morning and we're going to get a little more detail on exactly what we're talking about."

Suffolk County Department of Planning, dated 11/24/76, requesting Amendments to Town of Riverhead Zoning Code, Chapter 108, stating the matter is for local determination. Filed.

Copies to all Town Agencies.

Suffolk County Department of Planning, dated 11/24/76, requesting Amended Building Zone Ordinance, Section 85-238E (addition of D), Town of Brookhaven, regarding "Day Care Facilities." Filed.

Copies to all Town Agencies.

Suffolk County Department of Planning, dated 11/29/76, requesting Amended Zone Ordinance Article IXD, Town of Brookhaven, regarding "Historic Districts." Filed.

Copies to all Town Agencies.

COMMUNICATIONS - continued

Department of the Army, Corps of Engineers, dated 11/18/76, giving notice of the opening of their new office in Riverhead, at 313 West Main Street.

They further state that this Field Office will be headed by Mr. Jose Almodovar, whose jurisdiction will cover all of Suffolk County, except Smithtown, Islip, Huntington and Babylon. He may be reached by calling (516) 727-4257. Filed.

Department of the Army, Corps of Engineers, dated 11/18/76, requesting application of John O. Magee to construct timber groin in Great Peconic Bay, South Jamesport.

Any criticisms regarding the proposed work should be prepared in writing and mailed prior to December 19, 1976. Filed.

Town of Brookhaven, dated 11/23/76, requesting Adoption of Amendment to Chapter 85 of the Code, Section 85-238E - Day Care Centers. Filed.

Copies to all Town Agencies.

Town of Brookhaven, dated 11/22/76, requesting Public Hearing on proposed Amendments to the Building Zone Ordinance Code regarding "Animals," to be held on December 7, 1976, at 11:00 A.M. Filed.

Copies to all Town Agencies.

Town of Brookhaven, dated 11/23/76, requesting Adoption of Amendment to Chapter 85 of the Code of the Town of Brookhaven - Article IXD - Historic Districts, "HD". Filed.

Copies to all Town Agencies.

Riverhead Town Planning Board, dated 12/3/76, advising the Town Board that the term of Frank J. Polacek, Jr., a member, expires on 12/31/76, and requesting an appointment be made to fill the position for a 5 year term. Filed.

Copies to Town Board and Town Attorney.

Riverhead Town Planning Board, dated 12/3/76, report on application of George Dudick, William Grillo and Gertrude Grillo for Special Permit; recommending that the Special Permit be granted to George Dudick, William Grillo and Gertrude Grillo to place a residential building in the Business B Zoning Use District located on the private right-of-way known as Forest Lane off Sound Road, Wading River. Filed.

Copies to Town Board and Town Attorney.

Riverhead Town Planning Board, dated 12/3/76, report on application of James P. Latham for Special Permit; recommending that the petition be denied. Filed.

Copies to Town Board and Town Attorney.

Susan Hartigan, The Clothes Pole, 121 Roanoke Avenue, Riverhead, calling attention to a section of sidewalk directly in front

COMMUNICATIONS - continued

of the store that is broken. People trip on it from time to time and she feels it is just a matter of time before someone may be seriously hurt. She has received a notice from her insurance company recommending that it be properly repaired, and requests early attention be given to this matter. Filed.

Copies to Town Board, Town Attorney and Supt. of Highways.  
Referred to Supt. of Highways.

PERSONAL APPEARANCES

Supervisor Smith asked if anyone wished to be heard and the following responded:

Hyman Block, Sound Avenue, Wading River: "I manage and own a Mobile Home Park - Ramblewood Park. It seems that our esteemed Highway Commissioner gives some people and some areas preferential treatment, while completely ignoring others. There are quite a few residents of Riverhead Township who feel the same as I do about the treatment or lack of it, that they receive from our Highway Department and they should have their voices heard at a Town Meeting instead of complaining to their neighbors.

Now let's get into specifics. I asked for a snow fence so that the road in the rear of my park wouldn't get snow drifts. Last year the story was, I'm out of fencing but I have them on order. As soon as I get the fencing, I'll put them up for you. This year I ordered them early and sure enough there was another far fetched excuse. I'm still not clear what it is. Anyway no fence either year. By the way a fence was up there every year till I bought the park six years ago.

There is a pot hole on the road on Sound Avenue at the entrance to my park. When it rains or snows in the winter, cars slide on the ice or else they lose their traction and have to be pushed by hand. I was promised that the hole would be filled in and repaired. The hole still remains.

There are two catchbasins on Sound Avenue right in front of Ramblewood Park. The leaves and debris which clog the top of the sewers are cleaned out only when I or the people who live near there clean them out. Otherwise the water backs up onto everyone's lawns. As far as the interior of the catchbasin goes, the Highway Department trucks ride right by them almost daily and never check them. It takes me three or four calls to a Highway Department to get them to clean it. Sometimes for spite they don't come at all.

When an irate taxpayer confronts Mr. Horton with why do I have to remind you to do the job that you are paid to do, his reply to me is we have a Union and I can't always get them to do what I want. The crew in Wading River is very small and can't handle all the work.

Incidentally, there are two holes on the other side of the road that the water from the catchbasins empties into. The holes were put there by our own Highway Department yet Mr. Horton told me himself that the holes are illegal. The water stagnates in the holes in the summer and it attracts insects and mosquitoes."

PERSONAL APPEARANCES-continued

"Also there is no fence or posts by one of the two holes and last year two cars had to be towed out. Luckily neither one turned over.

Do we need a certain number of deaths before this bad situation will be remedied? I showed Mr. Horton that the top layers that were put on top of the road on Sound Avenue were never completed to the end. He said to me that's not the way it should be done. He in turn asked me how come the road wasn't completed, I replied that I am not the Highway Commissioner and that he is and that it is his job to check the roads after they are completed. There are cans and bottles all over the road and when I asked Mr. Horton when will it be cleaned Mr. Horton pointed to the beverage center on the corner of Sound Avenue and 25A and told me to tell him meaning the owner of the beverage store to clean it up. Once again I told our Highway Supervisor if anyone was going to talk to him it should be the Supervisor. He still should clean the debris from the Highway. Incidentally, the bottles and cans are still there.

It seems that a Highway Department Commissioner's expertise leaves something to be desired. The Town Board doesn't seem to have any jurisdiction over the Highway Department and neither does anyone else.

What we have here is an untouchable public official who doesn't have to answer to the taxpayer, who incidentally pays his salary --- nor does he have to answer to anyone. Somehow this situation should be remedied and a law passed so that he has someone over him and someone to answer to."

Councilman Young: "Mr. Block, may I make a suggestion. Alex is directly responsible to the voters and he comes up for re-election next Fall I believe and that's where you will get your recourse. We as Town Board Members don't elect him and he is not responsible to us for the conduct of the highways. The only control we have is the budget. And once the budget is set up, it's his money."

Mr. Block: "I'm not blaming the Town Board. What I am saying is it seems ridiculous that a man can run a department without having to answer to the people that are paying his salary. Of course, we cannot elect them I realize this."

Councilman Young: "That's when he has to answer next Fall."

Mr. Block: "Right, but shouldn't there be something done in the interim or in the future because this can happen to the next Highway Supervisor also. I mean you know assuming it's not him."

Councilman Young: "There has been talk of having a Highway Commissioner instead of a Highway Supervisor who would be appointed by the Town Board. This can be done but I don't think the people of the Town of Riverhead would stand for that. I think they want to have the control in their hands and they want to be able to elect or not elect a person every two years."

PERSONAL APPEARANCES - continued

Mr. Block: "Well my main objective for having come down and made the speech is not so much anti-Mr. Horton or the way the Supervisor runs the Department, but I just want results for my tax dollars. I think I'm entitled to the same service that others get and not be neglected. That's the only reason I'm down here."

Councilman Menendez: "Mr. Block, maybe the time has come when we should start thinking about having a Public Works Commissioner around here and if the Town Board will appoint an official in that spot and have him right under your finger. We'd have more control, whereas now we have no control."

Mr. Block: "Whatever the Town Board feels is best."

Louis Sapienza appeared before the Town Board making complaints on John Sabotka, Dog Warden, relating to a dog matter.

Supervisor Smith: "I believe that this is a situation which has existed in South Jamesport for sometime. We've had a previous complaint and we've brought it to Mr. Sabotka and told him about it and asked that what appeared to be a spite war, be ended and that it not occur again. And we thought we had it solved. I guess we'll have to pick it up again and do something about it. I believe Doctor Menendez is trying to iron out this particular situation."

Councilman Menendez: "Mr. Sapienza, I did talk at great length with Mr. Sabotka and also with your wife and to smooth ruffled feathers as much as I could but to try and get a straight answer whether he tranquilized the dog or not after a while he had come out and said he did not. Now I don't know whether he did or didn't."

Now as far as the complaints go, this wasn't the first time, I understand, because Fred Rogers the Patrolman down in that area, was asked if there had been other complaints and he said, yes, he had warned two or three times that the dog is running loose and one time I guess it was three or four o'clock in the morning he had to go banging on your door to get you to tie your dog up because he was spreading garbage all over the road, so it wasn't a fly-by-night thing. That was building up quite a long while. But I think we have gotten an understanding between Sabotka and everybody else down there and we hope things will be peaceful for now on."

Supervisor Smith: "We're trying to stay on top of the difficult situation."

He then recessed the Meeting to hold a Public Hearing.

## PUBLIC HEARING - 8:00 P.M.

Town Clerk submitted affidavits of posting and publishing Public Notice calling Public Hearing for December 7, 1976 at 8:00 P.M. on Games of Chance Code of the Town of Riverhead - Ordinance No. 45.

The affidavits were ordered to be placed on file.

Supervisor Smith explained as follows: "We have before the Town Board a proposed and enabling ordinance which is commonly known as Las Vegas Nights".

He then declared the Hearing open to anyone who wished to speak.

Mr. Flanigan appeared before the Board on behalf of the Elks Lodge #2044, Riverhead, New York and asked that the Town Board seriously consider putting the subject of "Las Vegas Nights" to a referendum vote, as the Elks were having financial difficulties and could use something like this to boost their income.

He further stated that applications would have to be filed and equipment purchased, if this matter were to go through and time was of the essence.

Fred Eimers, Wading River; "For quite a few months now, I have spoken to many people throughout Riverhead Town on this matter. They have indicated to me they would be interested in having such an opportunity to vote. On behalf of all these people and myself I ask you to give them this opportunity to vote on this referendum."

Supervisor Smith: "We absolutely do plan that referendum. This is a preliminary matter in that and we will tell you, we will give you the preliminaries at least although we haven't selected the date that we are considering three polling places that would be one here in Riverhead, one in Jamesport and one in Wading River and no we're not planning on putting polling places in Protestant Churches. We're thinking about keeping the polls open from noon till 8:00 P.M. on those particular days. So if anyone has suggestions for the referendum, please advise us."

Michael Giordano, 8 Daly Drive; Riverhead: "I think I'm here right now representing the St. Isidore's Parents Club for the School. We do run a bingo, but we're finding bingo is not quite enough. Prices have gone up as well you know for running schools, for running anything. We run all kinds of trips for our children, and these kind of things would definitely help us like "Las Vegas Nights".

Supervisor Smith: "Mr. Giordano I recognize that the St. Isidore's School is dependent upon bingo and I think that's unfortunate. If someone was to pull bingo away from you today your school would end. I think that's a danger. I have certain reservations in my mind about that kind of thing and you know that's why we're going to have a referendum on those competing interests."



PUBLIC HEARING - continued

Reverend Fred Moore, Pastor of Methodist Church: "I'm reminded as I stand here that one of the common phrases heard around the community these days is that the Churches and the Schools don't provide moral values and good social climate the way they used to do and if we could only go back to those good old days, society would be a much better place. We would be if we went back I suppose to those old values of thrift, the virtues of honesty and hard work.

When one thinks of welfare and political corruption, unions, monopolistic industry, those are the complaints we think about. If only we would go back to hard work, honesty, dignity and most of those complaints are right. It seems to me that the Churches and many other institutions of good work which unlike government, in order to get more money merely raises the tax rate.

Churches and other institutions depend upon the free will support of their constituents in their members. The public has unfortunately reduced when we were forced to bingo or to "Las Vegas Nights" even more so as it reduced the Churches and other institutions to begging. For that's precisely what we're doing, when we say we would like a cut out of the dice table, or we have to plead with our membership to support good works, we're saying where we rank in the priority and the hierarchy of your values is down to the bottom and we must take the end.

As a matter of fact if everybody supported their Church or Synagogue of their choice with the old biblical tithe we'd have enough funds to provide for a lot of the social problems which are right here in Riverhead. One has only to figure it out themselves. We'd have more money and some ways we'd know what to do with it.

I think we'd find a way to use it in good work. But at any rate, what we end up doing is begging. Measure it, put a tenth of your income into charity and see the results.

It is a fact that we have a place called 'gamblers anonymous'. We have families who are already marginal in existence. We have families whose mothers or grandmothers spend too many nights at bingo--- for good causes to be sure.

I suggest, to solve one problem we will have created additional problems. And the money won't be enough. Bingo isn't enough, 'Las Vegas Nights' won't be enough. Who knows what the end will be. It comes back to a commitment to support of the institutions of your choice. We've succumbed also to the idea that it's for a good cause and so the means justify the ends.

I thought we had solved that bit of philosophy when we examined the attitudes of the participants in World War II. Another argument is used to support this proposal it is everyone does it, let's legalize it, let's legitimize it.

You have as the Town Board within your power both an opportunity and a responsibility in making a choice as to whether this issue will be on referendum and you'll have a choice to the social climate and the impact of this kind of proposal will be in this

PUBLIC HEARING - continued

community. Right now you're in a position to decide. Will there be "Las Vegas Nights" or not in Riverhead Town. If you decide not to put it to referendum, there is no "Las Vegas Nights" in Riverhead.

Going to public referendum is a great position to be in. You can't lose. You really can't lose if you go to referendum. I invite you to take some heat, to assume responsibility, to assume leadership and to take the opportunity to make a decision. And that's all I do this night, is invite you to take leadership and responsibility."

Doctor Alfred Smith: "I would like to say it seems to me that we're looking for more money for Riverhead. Now if "Las Vegas Nights" and I don't see how it can possibly bring more money into the Town. These people are living in the Town. The same thing with all these bingos. The people of that particular Church are giving their money to the Church. It's an easy way of getting it, it's a painless way of getting the money from the parishioners. But still the poorer people aren't gonna bother with bingo. They're not gonna bother with "Las Vegas Nights". They're gonna go to Las Vegas if they really want to put out. And I feel that if each Town has their own "Las Vegas Nights", it's gonna be that particular Town giving into its own Town.

Now if the Elks Lodge has one, and the Moose Lodge has one it's going to be the people of Riverhead who are going to give this money and we already have it and I can't see where it's going to bring any more money into the Town of Riverhead then we have. I think it's only gonna bring in other problems."

Councilwoman Tomlinson: "I'd just like to say before you vote when we do decide to have a referendum that you go to a "Las Vegas Night" in the city and see exactly how it works. I took the time to do that and I wasn't very happy with what I saw. It was at a Church. I'm not going to name the Church, I'm not going to name who was running it, but it was rather frightening. I just hope you see what it really means to have "Las Vegas Nights" in this Town. The Ordinance is pretty hard to enforce."

Michael Giordano: "One thing this is not New York City. And in New York City there's a lot frightening. I agree with you there. But "Las Vegas Night" in Riverhead would not be frightening. I don't think anybody here would be scared to go to "Las Vegas Night". Now about people with gambling problems who go and gamble --- we have an O.T.B. here in Riverhead which is taking money out of the Town. This is gonna take our money and leave it in the Town and stimulate our economy a little bit maybe not a lot but it will help. We're all local here. So I don't think there's gonna be anything really frightening about this, because I think that's a prejudicial statement. I really do."

Councilwoman Tomlinson: "Did you ever go to a "Las Vegas Night?"

PUBLIC HEARING - continued

Mr. Giordano: "No, I haven't, but I've been in New York City. The only one I have been to was illegal. And it was not frightening and I did win some money."

Councilwoman Tomlinson: "I did too. It was fun but I don't want to have it in this Town."

Supervisor Smith: "We realize that there are two views on the thing. These views will be debated and there will be a resolution of the issue somewhere down the road."

Michael Giordano: "We have alcoholics in this Town too, but we're not closing the liquor stores!"

Michael Peretta, Wading River: "Paradise Island is really the Las Vegas. It is really terrific, fantastic. But in my opinion this so called "Las Vegas Nights" for our volunteer Fire Departments would be a mistake. To me a Fire Department is exactly what it should be. A group of personal and specialized equipment and a very dangerous business of fighting fires and alert to all emergencies and protecting the lives of our people."

The Fire Department is not a Gambling Casino nor is it a Night Club. If other non-profit organizations wish to dabble in gambling, I'm agreeable as to one stipulation. That a percentage of their profits or direct taxation on the Casinos go for aid to our senior citizens or the handicapped people or into a road fund, to repair all our private roads in Riverhead and other areas which would be at no cost to the taxpayers in our district. Gambling is an evil. If we have to have evil let it be of service for a purpose."

Victor Prusinowski, South Jamesport: "To the Town Board and to this gentleman over here I just want to clear one point. I've been to Las Vegas and I've been down to the Caribbean and I've been doing a lot of gambling. Lost a lot of money, made some money but the main point about the Fire Department I want to say about this. No, they're not a gambling Casino but these men volunteer their time and effort. We've had a number of fires on our farm and I'll tell you one thing these guys come out 24 hours of the day and they donate a lot of time. And if we want to have a Fire Department where you're gonna pay guys \$20,000 a year like in the city. It might be a good idea to consider something like this to defray the cost of the Fire Department. I just want to clear that point up because they are dedicated men, no matter what you say about them they do a lot of drinking and a lot of partying. They are dedicated and I can understand their intention of defraying the cost of the department. Because they do volunteer their time and they're trained experts."

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:20 P.M. and re-opened the Meeting.

PERSONAL APPEARANCES

William Nohejl: "Mr. Supervisor, Ladies and Gentlemen of the

PERSONAL APPEARANCES - continued

Board. I have a statement here from the Long Island Farm Bureau." He read as follows:

"The Long Island Farm Bureau hereby officially registers its protest to Allen Smith for his recent gross insult to the farmers of Riverhead. In an interview in Suffolk Life on November 28, he called the farmers' objections to the Jamesport Plants a "sham". By so doing, he called our position phoney and fraudulent. He challenged our integrity. His arrogance in this matter cannot be ignored. He refuses to recognize the serious dangers and difficulties these plants and transmission lines create for the agricultural industry and residents of Riverhead. He disregards the testimony of the experts of the N.Y.S. Dept. of Agriculture & Markets. These men stated under oath that serious and irreparable damage could occur to the agricultural industry if the transmission lines are built.

He refuses to recognize the calamity these plants can create. He talks about great tax benefits from the plants but he doesn't talk about the great tax drains and population explosions such plants have created in other communities. He expects us residents to believe his predictions that we will get "something for nothing" from LILCO.

He says we need the plants for jobs, yet look how few jobs the Shoreham plant created in the Town of Riverhead. Certainly some professions will benefit from the great influx of money and people. But not the average person.

We believe Allen Smith has created the nuclear controversy in this town by his own doing. He negotiated the infamous 1975 LILCO/Riverhead agreement which withdrew any objection of the Town to LILCO's Plans. He did not consult in advance with the residents, businessmen or farmers. He just pushed it through.

Now that the farmers have convinced a majority of the Town's residents that the Nuclear Plants and Transmission Lines are dangerous, unsafe, and a threat to our economy, Allen Smith is making every effort to discredit us. He claims we are opposed to the Plants only so as to negotiate with LILCO over the transmission lines. Nothing could be further from the truth. To clarify our position I will now read a letter from our President, Cliff Foster, to LILCO.

This is a reply to your phone call to me last Wednesday regarding the November 23 letter our attorney, Tom Twomey, sent to your boss, Mr. Dobler.

In an effort to prevent any misunderstanding, the position of the Farm Bureau on the issue of the Jamesport Plants and transmission lines is as follows:

- a) We are unequivocally opposed to the Plants since they would threaten our safety and agricultural industry.
- b) We are opposed to any transmission line which crosses above or below farmland between Jamesport and Calverton.

You have urged that we meet with LILCO to negotiate regarding the transmission line corridor. Although I appreciate your concern and effort to conciliate this matter, when you boil it right down there is nothing really to negotiate. We will not agree under any circumstances to LILCO constructing any route across farmlands.

PERSONAL APPEARANCES - continued

However, as our attorney indicated, if LILCO is willing to stipulate that it will agree in the Article VII proceedings to a route which does not cross above or below farmland, we would be happy to meet with anyone in your company who has the authority to sign such an agreement.

Thank you for your interest and if you wish to arrange such a meeting, please in the future call our attorney to make the arrangements.

As has been our policy over the past year, I am sending a copy of this letter to the members of your board in order to keep them informed.

Allen Smith continues to defend the Long Island Lightning Co. He continues to defend his 1975 Agreement with LILCO. But what concerns us the most is that he continues to question the motivations and integrity of honest citizens whose opinions differ from his own.

We believe Allen Smith's charges were uncalled for and in bad taste. We believe such tactics are a disgrace to the decent people in this Town."

Councilman Menendez: "Bill, You seem to have forgotten one point. Everybody is entitled to their own opinion. You're entitled to your opinion, Mr. Smith is entitled to his opinion. You've climbed on your soap box here and you've insulted Mr. Smith's opinion on an equally insulting matter as you've accused him of doing. The score is tied, so I think at this point we should each have regard for somebody else's opinion and respect their opinion. I see no point climbing on a soap box on this matter."

Mr. Nohejl: "If I were a politician, I'd regard Mr. Smith as an excellent lawyer. But as a politician I would take it as a different matter --- different way. I respect a man's opinion, he might be wrong, but I respect his opinion. We are fighting against transmissions lines. You could say I respect their position although I do not agree with them. That would have been a much favorable response. By calling it a "sham" I think it's about the lowest thing in the book."

Councilman Menendez: "Well you've had your shot at him so now you're even, right?"

Mr. Nohejl: "No I don't think so."

Councilman Young: "I feel that Allen in his opinion feels that he is representing the interest and welfare of the people of the Town. He sincerely feels this and I feel this also. You said somewhere along in your talk that you and a handful of farmers have convinced the people of the Town that this is a bad thing for the Town. Well I have talked to a lot of people and I would say the people I have talked to have been about 9 to 1 on the other side. These are Riverhead people. So I feel that Allen's stand and my

PERSONAL APPEARANCES - continued

stand too represents the wishes of the people of this Town. They're realists. You talk about "Las Vegas Nights" and stuff like this. It's not a very moral thing but they're after money - that's a realistic thing. I'm not making a judgment one way or the other. I've been on this Board for 14 years and we've been trying to find some way to get some clean light industry into this Town. We've been looking for something to save us. Have you looked at your tax bill this year? If it keeps going the way it's gonna go and we don't get some sort of tax relief somewhere, we're all gonna have to move."

Mr. Nohejl: "We might have to move before then."

Councilman Young: "That's right and we've got to have something to bring some money into this Town. Let's not keep looking through rose colored glasses. I mean it's nice to think about ecology and all this stuff but if they can put a man on the moon and get them back they certainly can run an atomic plant without any major incidents."

Mr. Nohejl: "It can also come up with energy too, Sir."

Councilman Young: "But they don't have that now and they have this now."

Mr. Nohejl: "But you said if they could put a man on the moon, they could come up with a different type of energy."

Councilman Young: "They can and they probably will and I'm sure that they will. You've got to have faith in this country. This country can do damn near anything they put their mind to and they will. And I've got faith in this country and I've got faith in the technology of this Country and I think they can build these things and make them work. And I think that they will build better things and make them work when these wear out. I've lived my life with faith in this country and faith in technology. We're the best damn country and this is the best damn Town. And we're gonna keep it that way."

Mr. Nohejl: "I disagree with you Mr. Young."

Supervisor Smith: Mr. Nohejl, I don't wish to defend Mr. Reuben's ability to report what is said to him. Sometimes it gets down the way you tell it and sometimes it doesn't. You and I are somewhat alike."

Mr. Nohejl: "No."

Supervisor Smith: "Oh yes. You're a fairly hard hitter and I am too. And we are on opposite sides of an issue and neither one of us doubts that the other one is in the fray. And I would

PERSONAL APPEARANCES - continued

"hope some day to be your friend on other issues and that's quite possible. But I do not expect you to lessen your fight for the ideas and things that you believe in. I don't think you expect me to and I don't expect you to change the way you go about it."

Mr. Nohejl: "That's why we're different."

Supervisor Smith recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 8:30 P.M.

Town Clerk submitted affidavits of publishing and posting Public Notice calling Public Hearing for December 7th, 1976, to amend Chapter 108 "Zoning Ordinance No. 26" Code at 8:30 P.M. of the Town of Riverhead.

The affidavits were ordered to be placed on file.

Supervisor Smith explained: "These are multiple changes and amendments that are proposed. Many of them are a technical nature relative to the zoning ordinance of the Town of Riverhead. They have been compared over the past several months in a series of meetings between the Zoning Board, the Planning Board, and the Town Board and all the other Boards that deal with these things. They have been published.

Does anyone choose to address themselves to any particular one?"

No one wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:35 P.M. and re-opened the Meeting.

PERSONAL APPEARANCES

Doctor Alfred Smith: "We've been fighting this LILCO deal a lot longer than anybody in this room, way before the farmers got into it, and we feel that it certainly is not a "sham". We feel very deeply concerned about what's gonna happen here. George Young said that the Board is speaking for the people of Riverhead and you feel that all the people you speak to 9 out of 10 are for the plant.

On the other hand, Bill Nohejl says all the farmers and they certainly have a great number of people following. They feel that they speak for the Town of Riverhead. I wish I knew who spoke for the Town of Riverhead. We didn't have a referendum on this. I think that would have been the smart thing to do at that time and it would have gotten us off the hook.

However, I think that the climate has changed terrifically in the last three years. When we started fighting it we were alone. And now if you go to the hearings you'll find out that we're not alone. If you read in Suffolk Life that the reporter who made the Pilgrimage up to Plymouth and his report I think was very enlightening. What happened there? Same thing when you fellows went up to the plant up in Milstone One. I think they gave you a real rough time up there. You didn't know it, but I'm sure they did. They didn't tell you anything, didn't let you see anything we would have wanted you to see. They've had a lot of troubles up there. We

PERSONAL APPEARANCES - continued

gave you when you came back a whole big sheet of things that they had yet nothing was brought out about it.

If you read all the articles that have been published on this trip that LILCO gave the 15 reporters. They didn't have a chance to see what they wanted to see, they didn't have a chance to talk to the people up there. But there are little innuendos in the thing that show you that the Town is not all happy with it. I think that this plant has more to do then just Riverhead. If this plant goes through and I hope it doesn't, but if it does go through, Riverhead is gonna be the one that reaps the benefit of it. Southold and Southampton and East Hampton are gonna get the dirty end of the stick because they'll receive none of the money out of it and they'll receive all of the hardships."

Alice Graff, 807 Parkway Street, Riverhead: "I am for the Atomic Energy Plant. We need our taxes lowered, we're not going to be able to stay here much longer under the present rates. And if we can have light industry to help us, I'm all for it."

Kathy Johns, Timber Park: "I'm representing the other three roads. It does not make sense for the Town to take over two roads and not the other three. The school bus is just as important to the parents of Penny's Drive as it is to the ones on Timber Drive. And the road is just as hazardous. It would be tragic to have an ambulance or fire truck break down on any of our roads, so we, therefore, ask the Board to accept our petition which reads:

We, the undersigned, as residents of Old Stone Road, Wildwood Drive, and Penny's Drive, ask the Riverhead Town Board to accept our roads as they accepted Sunnyline Drive and Timber Drive, in Timber Park, Calverton."

Petition was filed with the Town Clerk.

Councilman Young: "Have you got most of the people on there? Was there anybody who wouldn't sign?"

Kathy Johns: "Yes, one."

Councilman Young: "In other words everybody on those roads except one person has asked to have us take them over?"

Kathy Johns: "Yes."

Supervisor Smith: "Mrs. Johns, where were these people when the other was going on?"

Kathy Johns: "As you know Mr. Smith I came to see you in January of last year."

Supervisor Smith: "The way I get it there is an Association of home owners of some sort."



PERSONAL APPEARANCES - continued

Kathy Johns: "Yes, I'm part of the Association. I was the secretary at the time. We were not aware Mr. Smith that these people were approaching the Town Board. We were not informed. Therefore, we had to do this ourselves."

It deals with Mr. Ross' responsibilities and ours and the idea that there was not sufficient room at the end of the main thorough-fare to from a cul de sac. So we are faced with the potential of in some way providing means for the access of the bus. We have what distinguishes in part the other road-- the road to the west as the means of completing the loop is that we have contacted the U.S. Navy and we know that we can find some parcels back in there for the drainage. And that gives us the rationale for why the loop should be extended to the west. Quite frankly I think the choice comes to whether or not your children are walking to Timber Drive to pick-up the bus at any of the intersections or walking out to the highway.

Mr. Eimers who spoke earlier can tell you that he has already asked us to consider Hulse Avenue which is in his particular back yard. We have people up along Northville Turnpike. This Town Board is harvesting a condition that has been hatched by the prior Town Boards not accepting private roads that have no potential of a subdivider ever improving them. I mean that you can look into the future some where and the only person that will ever do it will be the Town Board and the Highway Superintendent.

Now quite frankly, in my judgment before we would be justified to the general taxpayer in the Town of Riverhead in improving all of the Roads in Timber Park we should give you at least one so your children should not come to the Main Road.

Where do we stand? Those people on Wildwood, Old Stone, and Penny's without any maintenance of any kind."

Supervisor Smith: "Mrs. Johns we are not talking about improving those highways with hard surfaces. What we're talking about is a grading and an application of oil at the best in the spring of the year."

Kathy Johns: "That's a lot better than what we have."

Supervisor Smith: "I understand that. Isn't it true Mrs. Johns that you and the other people say - Mr. Eimers constituency up in Hulse Avenue knew that those were private roads when you bought them."

Kathy Johns: "No, we were not told. I did not find that out until the buses came up and I titled searched in the hall of records and consulted lawyers. If I had known in the beginning, I probably would not have purchased. And most of us who are new comers to this road have been treated that way. We were promised maintenance. I was not told anything of who did what."

PERSONAL APPEARANCES - continued

Supervisor Smith: "These are the kind of situations that have built up over the years. I don't see any relief from you for anyone but the Town of Riverhead."

Kathy Johns: "Definitely, we agree with you. Why then if you can do that little for Timber Park on that side why not then for us?"

Supervisor Smith: "In that we are getting your children off of the Main Highway and back then I think if that's part of it and you admit that it's part of it let us have a shot at Hulse Avenue or at Tidewoods."

Kathy Johns: "Meanwhile, what should these people of these roads do as far as access in and out of our homes. Now I'm sure you weren't up there in the Spring. I live there. It was impossible to get out either way between water and mud. Two feet at the end of my road. I'm asking for maintenance."

Supervisor Smith: "Kathy, I'm asking you to be reasonable. The same political answer has been in this Town. Let me tell you from this side of the bench. The safe political answer in this Town up until this point has been to do nothing. Let everybody scream. Let Hulse Avenue scream, let Timber Park scream, let Tidewoods scream, let the next guy scream and do nothing. Now you're damning us for doing something and I think that's unfortunate."

Kathy Johns: "We were in on it from the beginning too. Why are we eliminated?"

Supervisor Smith: "I told you because among other things we can get drainage on the loop to the west. Now the point was if we could have gotten a cul de sac at the end of Timber Drive it wouldn't have gone to the left or right. The school bus would have gone down Timber Drive turned around and come straight out."

Kathy Johns: "So what your saying is no."

Supervisor Smith: "Yes, I'm saying if you would like somebody to propose a resolution, I would vote no."

Kathy Johns: "So where does this leave us?"

Supervisor Smith: "It leaves you in the hopper with Hulse Avenue, Tidewoods, Midland Drive and Reeves park."

Kathy Johns: "Are we gonna be graded, at least plowed, and have a passable road?"

PERSONAL APPEARANCES - continued

Supervisor Smith: "We have a letter on that now. Unfortunately in Mr. Eimers situation the same provincial attitude that has prevailed in the past where roads have been plowed although they be private roads, someone has taken them on in his neighborhood to sue the Town and say that that act of plowing the roads means that we must now accept the roads. We have a letter from Mr. Horton. We want to get a clarification from Mr. Horton on where he would like to do this. Then I intend to write letters to the groups that are representative in the area.

Now for those groups that can recognize that they can get a limited amount of service then I think the Town Board should consider plowing the snow and all the rest of that. But you're part of a much larger picture."

Kathy Johns: "I'm aware of that. I was just trying to bring to the Board's attention that we people have been involved from the beginning and we did not understand the side involved and we wanted to present this to you."

Supervisor Smith: "Sharon Wendelken is the secretary of the Association?"

Kathy Johns: "No, I was at the time most of the correspondence was made."

Supervisor Smith: "Sharon Wendelken has had a series of communications from Dick Sause holding himself out to be an attorney for your association and we've had like 8 months of discussions and letter writing and everything else. And when the resolution was proposed it was shown to the group that appeared."

Kathy Johns: "I was not aware of the proposal. I was never informed. This is the point. We the people who have signed this petition are saying to you we were not informed. We have contributed some monies initially for this end result and we want to know why we were eliminated and why we can't have at least some kind of a commitment that you'll maintain the roads and bring the children off of that road. It's a danger. Plus the roads themselves are a danger. No ambulance, and fire truck could get in there in the Spring or the Winter without something."

Supervisor Smith: "I think the place to begin is I'll send you copies of all the correspondence that has transpired since the Spring."

Kathy Johns: "I no longer have access to the correspondence."

Supervisor Smith: "I'll send you my copies. And you can see where we've been and the Town Board will consider what you ask."

PERSONAL APPEARANCES - continued

Kathy Johns: "If I can get signatures, say there is at least one person on these three roads that is completely against this. If I can get a petition stating that we would just like you to maintain the roads so that they are passable. Would you consider that?"

Supervisor Smith: "Yes, we'll consider it."

Kenneth Ross, Pine Street, Private Road, Aquebogue: "I'd like to formerly request the Town Board that if it's going to maintain, if it's going to plow, if it's going to clear, if it's going to improve private roads in this district that my road, North End Pine Street, Aquebogue be included on your list."

Supervisor Smith: "Would you like a school bus to come down it also?"

Kenneth Ross: "For my children no, but for other young families I might request it, Sir."

Pete Graffagnino: "As a resident of Riverhead and a resident of Timber Park in particular I think that the Town Board should consider some general maintenance for all private roads not only in Timber Park but in the whole Town of Riverhead."

The conditions that exist are such that some day somebody's going to get hurt very badly on these private roads. I appreciate the Town's fiscal problems as far as maintaining the roads on a total basis, but I do think that it's within the Town's grasp to come in and plow and level the ground and make them passable at least once a year. And I think that this should be for all the roads in the Town of Riverhead."

Supervisor Smith: "Maybe you weren't here when Mr. Block spoke. We have trouble getting our Highway Superintendent to patch a hole. We'll see what we can do."

Bob Haizlip, Timber Park: "I'd just like to clarify what Kathy Johns said. She did work with us, from the inception when we started the roads in Timber Park. Unfortunately, the people that lived on the other roads didn't want anything to do with us. We couldn't get their support. The ones that did send a check were in a minority. We could not get a majority, therefore, we couldn't speak for everyone."

The residents on Sunnyline in Timber Park were 99% and 98% and today I got a phone call from someone who said they were gonna come down and petition the Town and take over their roads. I said why all of a sudden? Why wouldn't you give when we asked you initially. And then they said you proved it could be done, therefore, we want to try to do it now.

All the correspondence was always available to anyone. I still have it in my possession and all the names. We asked the people whether they would like the Town to take over the roads or not.

PERSONAL APPEARANCES - continued

Some of the people here speaking tonight I can show you I have it in black and white. Where they had a big "No" - "No way" do we want the Town to take it over. The correspondence I have available if anyone would like to see it as we stated previously, I'll make it available. They don't have to ask you, I'll give it to them."

Supervisor Smith: "Bob, this shouldn't be a neighbor fight in this thing."

Bob Haizlip: "I would just like to clarify. You know Kathy said she was excluded. Kathy worked very hard, she was with us but we couldn't get anybody on the road."

Supervisor Smith: "Let me play mediator for a second. We recognize there's a problem. I don't have to go through the scenario again. I know there are problems with private roads in this community that will never be solved by anybody, but the municipality. It's just a question of the reasonableness of the approach. You know if you turned out at the budget hearing and you said add another million bucks to the tax bill of the Town of Riverhead next year maybe we could grade and oil and grit every private road that would need it sometime in the future. We can't do that. You couldn't live here, I couldn't live here, nobody in the room could. We're gonna approach it reasonably and try to identify problems such as school children on the major highway and try to attach those first. High concentrations such as Hulse Avenue and some of the other things. But there's no easy answer."

Doctor Alfred Smith: "What are we doing about preventing this in the future? Now we have a lot of these developments springing up. Are we making sure that the people that buy these places know what they're getting into? I think it's very unfair for these people that come along and not know they've been given a snow job and it's certainly unfair."

Supervisor Smith: "Specifically one of the items that we have discussed in these joint meetings that we have between several boards is the true need for a town engineer in the Town. That the problems for those of you who are in the Wading River area that are being occasioned on Parker Road by the design of the subdivision known as Century Farms have to be addressed. And we can no longer do it in the sort of provincial way of walking out and stomping up and down on the pavement and saying it's good or it's bad and yeah we're trying to get it under control."

It's one of those things. I think everybody wants everything done in two years that's been left undone for 40 years. Maybe you're all convinced that I'm not gonna be around next year."

Dan Reuben, Suffolk Life: "I'd just like to comment briefly on your response Mr. Smith to Mr. Nohejl's remarks. He challenged the credibility of the story that I wrote. I would just like to remind you that you did say the Farm Bureau's objections to the plant were a "sham". You did say the only reason they were involved in the hearings was that they did not want any transmissions lines to touch their farm land, you call that position unreasonable."

PERSONAL APPEARANCES - continued

To further your point - that the farmers were insincere you asked where were the farmers during the hearings before the Shoreham Plant. These were the things you told me at our interview and that's what I recorded."

Supervisor Smith: "That's true, Mr. Reuben. And I stand by those statements relative to that story, but your accuracy in other stories and your motivation in other stories are subject to question. And if you do not recognize that fact that I am, therefore, not answering your questions any more."

Dan Reuben: "You haven't been answering my questions and you don't return my phone calls."

Supervisor Smith: "That is correct because I don't think you do a pretty good or good job of reporting what I say. And I don't intend to answer----."

Dan Reuben: "Other Supervisors don't feel this way. I'm not gonna stand here and say I'm a great reporter I never make a mistake. You challenge the credibility of this story. I say that there was nothing inaccurate about it."

Supervisor Smith: "I didn't challenge the credibility of the story. I challenge your ability to write down what you've been told."

Dan Reuben: "Well, that's your opinion."

Supervisor Smith: "That's true."

Dan Reuben: "You challenge these particular statements that you made and said you didn't make them."

Supervisor Smith: "I'll stand by those statements."

Supervisor Smith then recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 9:00 P.M.

Town Clerk submitted affidavits of publishing and posting Public Notice calling Public Hearing for December 7th, 1976 at 9:00 P.M. on Amendments to Code of the Town of Riverhead, Chapter 101 "Vehicles and Traffic", Local Law No. 9 in respect to:

Speed

40 miler per hour

Location

Sound Avenue from the intersection with Northville Turnpike east to Manor Lane; thence southerly along manor Lane to the intersection with Main Road; thence along Main Road westerly to the intersection with Union Avenue;

PUBLIC HEARING - continuedLocation

thence along Union Avenue in a generally northerly direction to a portion of Union Avenue (also known as Cross River Drive), along said Union Avenue-Cross River Drive in a generally northerly direction to the intersection with Northville Turnpike; thence along Northville Turnpike in a generally northeasterly with Sound Avenue, the point of beginning."

The affidavits were ordered to be placed on file.

Supervisor Smith: "The current topic that Catch "22" was on the TV Sunday night. This is a Catch "22" and the catch in Catch "22" was if you're insane you shouldn't be flying, but if you go ask the doctor to declare you insane, therefore, you must be sane so you've got to fly. Well we're in one of those here.

The people of Church Lane asked us to consider what we considered to be a reasonable request which was a speed zone on Church Lane. The state engineer comes forward and says no you can't have the speed zone on Church Lane, but will you consider an area speed zone so we say yes we'll consider an area speed zone and we would like to get together with the people of the Town of Riverhead to consider the area speed zone.

Lt. Robinson and I received in the mail an order from the Department of Transportation establishing the area speed zone. That which you want you can't have but that which you don't know whether you want you get. It's a Catch "22". So really what we're doing today is talking about whether or not we now petition for a change of the area speed zone we have been given which we didn't ask for. Everybody understands that. Now forget the catch."

Supervisor Smith then declared the Hearing open for anyone who wished to speak and the following responded:

Doctor Alfred Smith: "Are you gonna have 40 miles an hour from Union Avenue on Cross Country Road across County Road - that's a County Road."

Supervisor Smith: "Yes, an area speed zone controls the roads within the speed zone, within the boundary."

Doctor Alfred Smith: "That would be a speed trap, wouldn't it?"

Supervisor Smith: "Yes, we could give tickets to all those guys building that plant."

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 9:03 P.M. and recessed the Meeting.

PUBLIC HEARING - continued  
The Meeting resumed at 9:15 P.M.

PUBLIC HEARING - 9:15 P.M.

The Town Clerk submitted affidavits of publishing and posting Public Notice calling Public Hearing for December 7th, 1976 at 9:15 P.M. on amendments to the Code of the Town of Riverhead, Chapter 101 - "Vehicles and Traffic", Local Law No. 10 in respect to traffic and parking regulations at the Roanoke Shopping Plaza.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Again this is the work of Lt. Robinson and Mr. Danowski. It is essentially the no parking and fire zones in what you commonly know as the A & P Shopping Center.

Supervisor Smith declared the Hearing open and asked if anyone wished to be heard and the following responded:

Michael Giordano: "Is this going to be where the Town's gonna take over the areas in the fire zone, where they're gonna ticket these people that are parking illegally?"

Supervisor Smith: "Half right - we don't take anything over. It's not like the roads. There is provision of law because of the very special traffic hazards that are occasioned in a shopping center. That the Town Board can request or otherwise if there is a safety hazard establish no parking and general regulations relative to the operation of traffic within a shopping center.

We've had the special permit application for the new store there. We've considered that part of the application, we indicated that we would be establishing rules relative to traffic operation within that shopping center and currently for instance the no parking zones, the fire zones are just delineated by the owners there without force of law.

If you park in the no parking zone over at Hills or Grants Shopping Center you get a ticket for violating the parking rules because that's already been established over there. The same thing will apply in the A & P Shopping Center."

Michael Giordano: "That's what you are proposing?"

Supervisor Smith: "Yes."

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 9:18 P.M. and re-opened the Meeting.

PERSONAL APPEARANCES - continued

Bert Rhodes, Wading River: "The subject tonight as on many



PERSONAL APPEARANCES - continued

occasions has been taxation and the fiscal responsibility of the Town and the problem of raising funds by the Town which for the most part is done by the real property tax. I'd like to comment on two areas of real property tax. I come to this conclusion as reading through the budget for the Town. You had mention in your address to the Town that a good portion of our Town is non-taxable or tax exempt due to it being government owned also quite a bit of property that is used for charitable purposes and so on.

Now for the most part I think these are all State mandated. There's a number of other areas which are State mandated and that is for example veteran exemptions. There's a clergy exemption which lately has received a tremendous amount of publicity and only the other day the court awarded a good percentage of the clergymen in a particular town upstate exemption. I think the only taxpayer left in the Town is the utility. It was in the Times on Sunday, and I understand quite a few people in Center Moriches are doing the same thing. You're gonna have to be very careful about that. The State also mandates that senior citizens or anything under a certain amount of money as income can receive if the municipality passes such a resolution an exemption. There's also an exemption a proposed exemption for those people who desire to utilize solar energy to heat their homes - that's also being proposed. There's also on the books right now and I don't know if you've passed a resolution which is an invitation for business to come in or to expand and to receive up to a 10 year exemption starting with 50% - an exemption from taxation to invite business in.

When you see State politicians run for office, they cater to so many splinter groups, saying we offer additional exemptions for you and make the clergy happy, they make the veterans happy, they make the senior citizens happy, they make the energy people happy, but I'm the guy that's being hurt. As I say I'm just commenting on it, I know you are not directly involved and you cannot do something directly about it. I imagine the only thing you can do is to let the State Legislature know your feelings by resolution."

Supervisor Smith: "I've stated this in the past like last evening at the Lions Club where I was a speaker. Exemptions are not exemptions. It's a misnomer. It's a transference of the tax burden that does not go away from one taxpayer to another taxpayer. Now we have two that are pending here that are going to be very difficult for this Town Board to address and must be addressed probably somewhat soon. You may realize that \$300,000 of assessed valuation came off of the tax roll last year..

In this particular incident the assessors added approximately \$300,000 of new construction - added value and it was wiped out by the farmers claiming their particular exemption. It was stated by Mr. McKay last evening at a meeting of the Farm Bureau where I was a speaker that our potential, additional exemption for the farmers next year by operation of state law will be a total exemption of a million dollars of assessed valuation so if we can anticipate

PERSONAL APPEARANCES - continued

in this slumping economy that the assessors will have a similar experience next year of adding approximately \$300,000 of assessed valuation in new homes, new businesses. There's another \$700,000 just in the farmers. Next year if we maintain the budget at the level it is today it takes no tax genius to figure out that your tax bill will go up because of this farm exemption. And the other one is that business exemption. The Town Board of the Town of Riverhead will be put to the test more so than the other Towns in that we have to consider the power plant."

Bert Rhodes: "I think you have to be very careful about that one."

Supervisor Smith: "If we pass the necessary legislation or fail to pass the necessary legislation to modify the 50% exemption and it's in our ball park. It's not that we can't, the fact of the matter is the buck stops here on two of those. I don't know that there's much we can do on the farmer's exemptions."

Bert Rhodes: "I think on the Industry you have to pass a resolution for it not to take effect."

Supervisor Smith: "The taxable status date June 1, 1976 has been the subject of a rather extensive memorandum from Mr. Crump outlining the issues on both sides and it's been the subject of discussion by the Town Board Members at least on two occasions."

Bert Rhodes: "The other I'd like to comment on and the concern is in the same area of taxation is a subject that was brought up about two months ago by a gentleman from Wading River. He had a very radical solution to a problem that we all face. He asked for the succession of that portion of Riverhead Town that is in the Wading River-Shoreham School District to the Town of Brookhaven. I think it's a very radical solution that he's seeking. I personally don't think it would be a solution. There's no guarantee that if we did move into Brookhaven that they would change our assessed valuation. And I don't know if he could secure the word of Brookhaven to do such a thing."

However, because of the radical proposal that he has I don't think that we should lose light of the basic problem. To those people who are not aware of what the State Equalization rate is I just wrote what I consider a definition. It's the rate applied to the assessed valuation of real property of the Town to determine its true value of that real property. In relationship to the true value of all the other Towns and the intended purpose is to equalize the tax rate or the amount of taxes submitted by each of the Towns for those taxable areas that municipal tax areas that go beyond the Town limits. The Town equalization rate for example is used to determine what taxes are - well the county tax for example is assessed for the ten Towns.

PERSONAL APPEARANCES - continued

Of course, there are different segments of it, police and so on. But to determine how much each Town pays, to come up to that total is looked up at by applying the equalization rate assigned to that Town. It's also used by Fire Departments. I'm also acquainted with the Wading River area. Our Fire Department is in Wading River but a good portion is in Brookhaven. The Shoreham-Wading River School District has a portion in Wading River and a good portion in Shoreham. The equalization rate is applied to us for our County Tax. It's applied to us for our school tax. It's applied to us for a Fire Department Tax. It, of course, is not utilized for Town Tax. But the Town Tax is a small portion of our total real property tax.

Now what I've done is I've looked back over the past years at the State Equalization rates as applied to Brookhaven and Wading River and I put up some graphs that I'd like to pass on to you and show you a hypothetical situation."

Supervisor Smith: "By the way, I think Mr. Ross will agree that your definition is rather good. You should write law school books."

Bert Rhodes: "I talked on the subject about three years ago and as I recall quite a few people didn't understand what I was talking about."

Supervisor Smith: "That's a very difficult topic, Bert."

Bert Rhodes: "Now, what I've done on this graph on the bottom chart, I've plotted the Equalization Rates over the past ten years for both Riverhead and Brookhaven. And you'll notice the Equalization Rate for Riverhead starts with .30 ten years ago and is now .1047. So in ten years the Equalization Rate has gone down by two thirds. What they said ten years ago that a house assessed at that value was 30% of the true value. Now they're saying that a house with the same assessment is 10% of the true value.

In Brookhaven the Equalization Rate has changed from .18 to .08 which is about 50% less. A house in Brookhaven for the same ten year period has only doubled in true value. A house in Riverhead has tripled in true value."

Supervisor Smith: "There is an explanation for that if you would like me to interject."

Bert Rhodes: "Now on the top graph what I have done is taken a hypothetical case. I said in 1965, 1966 a house whose true value is \$20,000 and I applied the Equalization Rates at that time and the Riverhead assessed valuation would have been \$6,000 which is .30 or about 30%. The Equalization Rate of Brookhaven was .18, therefore, the assessed valuation should have been \$3,600 and that's my starting point on the left.

PERSONAL APPEARANCES - continued

Over a ten year period as the rates change as you notice on a bottom graph look what happens to the true value of that house. The house in Riverhead goes up close to \$60,000 true value. The house in Brookhaven goes close to \$40,000. Ten years ago they both - this is assuming that the assessed valuation was not changed in that ten year period. And that's probably true in many cases. And that was the point that was made by the resident in Wading River. Now ten years ago when he purchased his house and he paid the same amount of money and the same true value as the house across the street, they were paying the same taxes. He's now paying 1/3 or 50% more than the house across the street for his school tax."

Supervisor Smith: "Your two points - the point that you made before and the point that you make now are interconnected. Now I'll try to do this as simply as I can. The reason is the farmland. Your graph is aimed at houses. You see it's the sample, they do the statistics, that's how the Equalization Rate is created.

Now a large, large portion of the Town of Riverhead falls into that farm sample - that acreage. If you compared the samples on residential between Brookhaven and Riverhead you would not get disparity - that you have here on the graph. What the fellow in Albany is saying and why he is penalizing the owner in Riverhead is he is saying to the assessors that you are lawfully under assessing the farmer. What was the average sample in the farm sample last time? You see the rate they say for the farmers is 5% and you see what that large expanse of land and the ratio being 5% on that large expanse of land the higher values for the commercial and residential properties are drawn down.

And there's something I said earlier in the year and I think in part precipitated the activity in the Ag. District. If I were a farmer and I saw Allen Smith or somebody like Allen Smith verbalizing as I am doing today and saying what makes your taxes go up in part is the assessment on farms."

Councilman Young: "Which was done. There was a suit brought about a year ago and the man lost because his suit was poorly prepared but someday somebody's gonna win and we're gonna have to tax the farmers at the same rate we're taxing the homeowners. When this happens, if he's not in an Ag District he's not a farmer."

Bert Rhodes: "I'm aware of the irregularities in the Equalization Rate, but I'm suffering for it and all the people in Wading River and there are more homeowners than there are farmers. And again I know and I'm aware that you people are not directly involved except to be aware of it.

I'm very appreciative of the efforts that you made going to Albany to secure a high Equalization Rate each year and I appreciate your being successful too. The comment we heard from the Equalization Board said you made one of the finest presentations that they've ever hear. And you (meaning Supervisor Smith) did get our Equalization Rate raised and I think the people of Wading River owe you a debt. You were successful for our school district, but we're still far apart and I think it's the system itself that has to be addressed and it has been addressed. I think the State has been more or less

PERSONAL APPEARANCES - continued

told that they have to go to true value assessment but the cost is prohibited."

Supervisor Smith: "We project that's another part of the Budget Message. We project the cost of a revalue to full value for the Town of Riverhead at \$300,000 - \$350,000. I also stated in the Budget Message that we have not put the money in the Budget to do it next year."

Bert Rhodes: "Well I've given my comments and I'd like to close by saying I would appreciate your continued efforts in this area because it does effect every single person in the Town. Particularly when we talk about the County tax going up a third this year. You know it's going up 50% more for the people of Riverhead Town than it is for the people of Brookhaven Town because they have their beautiful Equalization Rate and I'm not certain about the other eight Towns in relationship to ours. So please continue your efforts in that direction."

Supervisor Smith: "Yes, Sir. It's not a simple topic."

William Kasperovich, Wading River: "I'm very happy to see Wading River so well represented this evening. I'd like to address the Board and expecially Mr. Smith. Item 20 "recognize anyone wishing to be heard" brings all kinds of gripes and problems and what have you. It's not too often that I hear somebody get up before the Board and tell you that you are doing a real good job. I would like to take this moment, this time possibly with the holiday spirit starting to say that we do recognize the hard work by this particular Board and although you may not hear it as often as you should. I for one would want to say that we are thankful in our community for this Board and for the work of this Board. In addition to the work that you are being paid for, I personally want to thank each and everyone of you for the work you do on your own time, on the work you do away from your family and your home and for this I will inject a word which no newspaper can misconstrue and that is May God Bless You (he extended happy holiday greetings in Urkanian).

In Eastern Europe Christian Churches this is known as Divine Wisdom. Thank you very much."

Supervisor Smith thanked Mr. Kasperovich.

RESOLUTIONS

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

RESOLVED, That Highway bills submitted on abstracts dated December 7, 1976 as follows:

General Repairs Item 1: Mobil Oil Corporation, bills dated November 8, 16 and 22, 1976 totalling \$751.85, and

Machinery Item 3: M & R Service & Auto Body, bill dated December 1, 1976, in the amount of \$1,413.89, and

Miscellaneous Item 4: Capitol Highway Materials, Inc., bill dated November 23, 1976 in amount of \$1,396.80; be and the same are hereby approved for payment.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

RESOLVED, That the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on Liquid Asphalt requirements for use of the Town of Riverhead Highway Department for the year 1977, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A. M. on Monday, December 20, 1976, and be it further

RESOLVED, That the Town Clerk be and is hereby designated to open publicly and read aloud on Monday, December 20, 1976, at 11:00 A. M., at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Liquid Asphalt".

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids on Ready-Mix Concrete for use of the Town of Riverhead Highway Department, for the year 1977, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A.M. on Monday, December 20, 1976, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, December 20, 1976, at 11:00 A. M., at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Ready-Mix".

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

RESOLVED, That the Town Clerk be and is hereby designated to advertise for sealed bids on Grit requirements for use of the Town of Riverhead Highway Department for the year 1977, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A.M., on Monday, December 20, 1976, and be it further

RESOLVED, That the Town Clerk be and is hereby designated to open publicly and read aloud on Monday, December 20, 1976 at 11:00 A.M. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Grit".

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith requested that in the future bid specifications be submitted to the Town Attorney for his approval and review.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, On the 16th day of November, 1976, John J. Hansen was appointed to the position of Accountant Trainee of the Town of Riverhead, and

WHEREAS, The Riverhead Chapter of the CSEA, through its President Edward Gadzinski, has objected to the salary stated in the aforesaid resolution of appointment, and

WHEREAS, John J. Hansen has provided the Town Board with a letter consenting to the reduction of his salary as stated in the aforesaid resolution of appointment of Thirteen thousand three and 00/000 (\$13,003.00) Dollars,

NOW, THEREFORE, BE IT RESOLVED, That the aforesaid resolution be and the same hereby is amended to show the annual salary of Thirteen thousand three and 00/000 (\$13,003.00) Dollars.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes. Before casting his vote, Supervisor Smith made the following statement: "It hurts me to vote on this motion. You take a guy out of college, you pay him \$8,000 a year. Part of our success in getting our bond rating changed is due to Mr. Hansen, and some of the other things we have done around here is due to Mr. Hansen. He works past the hour of 4:30 which is not a great habit around here, and if this is the way it's got to be done I'll vote Yes".

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, The LANDMARKS PRESERVATION COMMISSION has approved the following site as an historic landmark, and

WHEREAS, Said Commission has done all things required to be done, pursuant to Ordinance 44 of the Town of Riverhead, entitled: "Landmarks Preservation", and

WHEREAS, The Town Board of the Town of Riverhead has reviewed the site approved by the LANDMARKS PRESERVATION COMMISSION, and is in full agreement with their decision,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Riverhead does hereby approve the designation of the following site as an historic landmark:

Centerville Chapel  
Sound Avenue, Centerville Area  
East of Roanoke Avenue  
Riverhead, New York 11901

RESOLUTION continued:

and be it

FURTHER RESOLVED, That pursuant to Section 7 (f) of Ordinance 44, the Town Clerk is directed to notify, in writing, the Building Department, the Landmarks Preservation Commission, the Board of Assessors, and the owner or owners of the subject property of the Town Board's approval of the historic landmark designation.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

-----X

In the Matter of the Application for  
a Non-Nuisance Industry Special Permit :  
pursuant to Riverhead Town Zoning  
Ordinance No. 26, Section 209A 2 (f) :

RESOLUTION  
NOTICE OF PUBLIC HEARING

-----X

WHEREAS, The Town Board of the Town of Riverhead, Suffolk County, New York, has caused all matters and things to be done which are required by the Town Law and other statutes made and provided in connection with the granting of a Non-Nuisance Industry Special Permit in accordance with Article II, Section 209A 2 (f) and Article I, Section 102 (45) of the Town Ordinance No. 26 of the Town of Riverhead, known as the "Zoning Ordinance of the Town of Riverhead, Suffolk County, New York";

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Riverhead shall cause a Notice of Public Hearing to be published once in the News-Review in accordance with Article I, Section 102 (45) of said Ordinance, and in accordance with the New York Town Law Section 265;

AND the Town Clerk is hereby authorized and directed to publish a copy once in the News-Review, the official newspaper for said purpose published in the Town, and to post a copy of the same, on the signboard maintained by the Town Clerk, pursuant to Section 265 of the New York Town Law, and file in her office affidavits of said publication and posting.

NOTICE OF PUBLIC HEARING

ON PROPOSAL TO ISSUE A NON-NUISANCE INDUSTRY SPECIAL PERMIT

Pursuant to the New York Town Law, Section 265 and Town of Riverhead Zoning Ordinance No. 26, Article I, Section 102 (45), a public hearing will be held by the Town Board of the Town of Riverhead at Howell Avenue, Riverhead, New York, on the 21st day of December, 1976, at 8:00 P.M., prevailing time, on the Petition of HARRY BYRON STEVENS, for a Non-Nuisance Industry Special Permit to operate a lumber yard and building supply business at Calverton, Town of Riverhead, Suffolk County, New York, bounded and described as follows:

"BEGINNING at the intersection of Edwards Avenue and the northerly line of lands of the Long Island Railroad Company, for its right-of-way, and running thence northerly along the westerly side of EDWARDS AVENUE a distance of 100 feet; thence westerly and parallel with the said lands of Long Island Railroad Company a distance of 200 feet; thence southerly and parallel with the westerly side of EDWARDS AVENUE a distance of 100 feet to the property of the Long Island Railroad Company; thence easterly by and with the land of the Long Island Railroad Company a distance of 200 feet to EDWARDS AVENUE at the point or place of BEGINNING."



RESOLUTION continued:

Any person desiring to be heard on the proposed issuance of a Special Permit Use should appear at the time and place specified.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

BUDGET NOTE RESOLUTION OF THE TOWN OF RIVERHEAD,  
NEW YORK, ADOPTED DECEMBER 7TH, 1976, AUTHORIZING  
THE ISSUANCE OF A NOTE IN THE AMOUNT OF \$20,000.00  
FOR THE PURPOSES OF DEFRAYING COSTS OF SNOW REMOVAL.

WHEREAS, The Superintendent of Highways has advised the Town Board that an amount of \$20,000.00 is needed to finance costs of snow removal for use of the Town Highway Department, and has requested the Board to authorize borrowings of said amount of \$20,000.00 to defray the costs

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. That the Town Board of the Town of Riverhead for the specific purpose of providing for payment of costs for snow removal, pursuant to Section 29.00 of the Local Finance Law, does hereby authorize the issuance of its Budget Note in the amount of \$20,000.00 to finance such cost.

2. That the power to fix and determine the exact date of such Note is hereby delegated to the Supervisor. Such Note shall be numbered One (1) and shall mature in the year 1978. The power to fix and determine the date upon which such Note shall become due and payable is also delegated to the Supervisor.

3. That should there be a surplus of monies in Machinery Item 3 Fund, that said surplus monies be transferred to Miscellaneous Item 4 Fund, thereby reducing the amount of the authorization for borrowings of \$20,000.00.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, The following employees of the Highway Department were reclassified or promoted for a probationary period of six month, effective May 4, 1976, and

WHEREAS, Said employees have satisfactorily completed a six-month probationary period in their respective new titles on November 4, 1976, now, therefore, be it

RESOLVED, That these employees be permanently appointed in the following titles effective November 4, 1976, at no additional rate of pay:

Felix Rutkowski	Automotive Equipment Operator
John Condzella	Labor Foreman
John Griffin	Construction Equipment Operator
Carl Haupt	Automotive Mechanic
Russell Fleischman	Automotive Mechanic

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS

Supervisor Smith offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That a Special Meeting of the Town Board of the Town of Riverhead be held on December 30, 1976 at 7:30 P. M., for the limited purpose of passing those necessary resolutions relating to encumbrances and transferences of funds in the budget year of 1976, and for any other business that may come before the Board, and

FURTHER RESOLVED, That the Town Clerk be and is hereby directed to publish the following notice of said Special Meeting:

PUBLIC NOTICE

PLEASE TAKE NOTICE, That pursuant to a Resolution adopted on the 7th day of December, 1976, the Town Board of the Town of Riverhead, Suffolk County, New York, will hold a SPECIAL MEETING at the Town Hall, 200 Howell Avenue, Riverhead, New York, on December 30, 1976 at 7:30 P. M., for the limited purpose of passing those necessary resolutions relative to encumbrances and transferences of funds in the budget year of 1976, and for any other business that may come before the Board.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Town Attorney and Town Clerk be authorized to prepare and publish a Public Notice calling Public Hearing to be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, on the 30th day of December, 1976, at 8:00 P. M., in the evening of that day to consider the application of George Dudick, William Grillo and Gertrude Grillo for Special Permit to place a residential building located on the private right-of-way known as Forest Lane off Sound Road, Wading River, New York, situated in the Business B Zoning Use District.

PUBLIC NOTICE

PLEASE TAKE NOTICE, That pursuant to the New York Town Law, Article II, Section 206A, Par. 2, subsection b., a Public Hearing will be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, on the 30th day of December, 1976 at 8:00 P. M., o'clock in the evening of that day to consider the application of George Dudick, William Grillo and Gertrude Grillo for a SPECIAL PERMIT to place a residential building located on the private right-of-way known as Forest Lane off Sound Road, Wading River, New York, situated in the Business B Zoning Use District.

Any person desiring to be heard on the proposed application for the aforesaid Special Permit, should appear at the time and place specified.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the Meeting adjourned at 9:18 P.M. to meet December 21, 1976, at 7:30 P.M.



Helene M. Block, Town Clerk